

1 GARY S. WINUK
Chief of Enforcement
2 BRIDGETTE CASTILLO
Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
428 J Street, Suite 620
4 Sacramento, CA 95814
Telephone: (916) 322-5660

5 Attorneys for Complainant
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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
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12 In the Matter of) FPPC No. 09/774
13)
14) STIPULATION, DECISION and
GEORGE BARICH) ORDER
15)
Respondent.)
16)
17)

18 Complainant Roman G. Porter, Executive Director of the Fair Political Practices Commission,
19 and Respondent George Barich (“Respondent”) agree that this Stipulation will be submitted for
20 consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

21 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this
22 matter and to reach a final disposition without the necessity of holding an administrative hearing to
23 determine the liability of Respondent, pursuant to Section 83116 of the Government Code.

24 Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural
25 rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Sections 18361.1
26 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to, the
27 right to personally appear at any administrative hearing held in this matter, to be represented by an
28 attorney at Respondent’s own expense, to confront and cross-examine all witnesses testifying at the

1 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge
2 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

3 It is further stipulated and agreed that Respondent violated the Political Reform Act by making a
4 cash campaign contribution of \$1,000, in violation of section 84300 of the Government Code (1 count);
5 and by failing to establish a single campaign bank account upon receipt of contributions of \$1,000 or
6 more for his 2008 Cotati City Council campaign, in violation of section 85201 of the Government Code
7 (1 count). All counts are described in Exhibit 1, which is attached hereto and incorporated by reference
8 as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

9 Respondent agrees to the issuance of the Decision and Order, which is attached hereto.
10 Respondent also agrees to the Commission imposing upon him an administrative penalty in the amount
11 of Seven Thousand Five Hundred Dollars (\$7,500). A cashier's check from Respondent in said amount,
12 made payable to the "General Fund of the State of California," is submitted with this Stipulation as full
13 payment of the administrative penalty, to be held by the State of California until the Commission issues
14 its decision and order regarding this matter. The parties agree that in the event the Commission refuses
15 to accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the
16 Commission meeting at which the Stipulation is rejected, all payments tendered by Respondent in
17 connection with this Stipulation shall be reimbursed to Respondent. Respondent further stipulates and
18 agrees that in the event the Commission rejects the Stipulation, and a full evidentiary hearing before the
19 Commission becomes necessary, neither any member of the Commission, nor the Executive Director,
20 shall be disqualified because of prior consideration of this Stipulation.

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Dated: _____

Roman G. Porter, Executive Director
Fair Political Practices Commission

Dated: _____

George Barich, Respondent

1 **DECISION AND ORDER**

2 The foregoing Stipulation of the parties “In the Matter of George Barich,” FPPC No. 09/774,
3 including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political
4 Practices Commission, effective upon execution below by the Chairman.

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6 IT IS SO ORDERED.

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8 Dated: _____

9 Dan Schnur, Chairman
Fair Political Practices Commission